

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**
Wilkes-Barre Division

IN RE:

RAYMOND C. LEWIS AND VERA LEWIS

Deutsche Bank National Trust Company, as Trustee
for Argent Securities Inc., Asset-Backed Pass-
Through Certificates, Series 2004-W3,
Movant

vs.

RAYMOND C. LEWIS AND VERA LEWIS,
Debtors

Case No. 5:18-bk-00102-MJC
Chapter 13

**OBJECTION TO CONFIRMATION
OF DEBTORS' THIRD AMENDED CHAPTER 13 PLAN**

Deutsche Bank National Trust Company, as Trustee for Argent Securities Inc., Asset-Backed Pass-Through Certificates, Series 2004-W3 ("Movant"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtors' Third Amended Chapter 13 Plan* (Doc 66), and states as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on January 12, 2018.

2. Movant holds a security interest in the Debtors' real property located at 127 Knob Ln, Shawnee on Delaware, PA 18356 (the "Property"), by virtue of a Mortgage which is recorded as instrument Number 200400087 in Official Records of Monroe County, Pennsylvania. Said Mortgage secures a Note in the amount of \$234,700.00.

3. The Debtor filed a Chapter 13 Third Amended Plan (the "Plan") with a Motion to Modify on March 15, 2023 (Doc 66).

4. Movant filed a Proof of Claim in this case on March 23, 2018 (Claim No. 19) which lists a total debt of \$205,389.78.

5. The Plan includes payments toward the Note and Mortgage with Movant, however the figures used by the Debtor are inaccurate and do not conform to Movant's timely-filed Proof of Claim.

6. Movant objects to Debtor's proposed Chapter 13 Plan as Part 2 (C) does not list amounts to be paid to Movant.

7. Movant's timely-filed Proof of Claim lists the correct pre-petition arrearage due Movant is \$2,832.93, whereas the Plan proposes to pay only \$0.00.

8. The Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed

9. Movant objects to Debtor's proposed Chapter 13 Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed.

10. Movant objects to any plan which proposes to pay it anything less than \$2,832.93 as the pre-petition arrearage over the life of the plan.

WHEREFORE, Movant respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Movant as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/Mario Hanyon

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IN RE: RAYMOND C. LEWIS AND VERA LEWIS	Case No. 5:18-bk-00102-MJC Chapter 13
Deutsche Bank National Trust Company, as Trustee for Argent Securities Inc., Asset-Backed Pass- Through Certificates, Series 2004-W3, Movant	
vs.	
RAYMOND C. LEWIS AND VERA LEWIS, Debtors	

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and exact copy of the foregoing Objection To Confirmation Of Debtor's Chapter 13 Plan has been electronically served or mailed, postage prepaid on this day to the following:

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Standing Chapter 13 Trustee
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Asst. U.S. Trustee , US Trustee

228 Walnut Street, Suite 1190
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March 24, 2023

/s/Mario Hanyon

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